

Pages 1 through 2 redacted for the following reasons:

s.12, s. 13

s.12, s.13

Buzbuzian, Andrea JAG:EX

From: Wayne Braid [gwb@society.notaries.bc.ca]
Sent: Sunday, January 8, 2012 11:18 AM
To: Buzbuzian, Andrea AG:EX
Subject:
Attachments: s.12, s.13


Further to my last e-mail, here is the s.12, s.13 as discussed. We have not formatted the document etc. as we thought this was the easiest way for you to work with the document. I hope that is the case.


Not Responsive


Regards,

Wayne.

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
Suite 1220 625 Howe Street, Box 44,
Vancouver, B.C.
V6C 2T6

 E-Mail gwb@society.notaries.bc.ca

 Telephone (604-681-4516)

 Fax: (604) 681-7258

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Pages 4 through 17 redacted for the following reasons:

s.12, s.13, s.14

Buzbuzian, Andrea JAG:EX

From: Wayne Braid [gwb@society.notaries.bc.ca]
Sent: Tuesday, January 10, 2012 4:27 PM
To: Buzbuzian, Andrea AG:EX
Subject: RE: Draft Document Parts A and B.

Hello Andrea:


s.12, s.13


We can discuss all of these issues tomorrow in greater detail.

Wayne.

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
Suite 1220 625 Howe Street, Box 44,
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From: Buzbuzian, Andrea AG:EX [<mailto:Andrea.Buzbuzian@gov.bc.ca>]
Sent: 9-Jan-12 10:56 AM
To: Wayne Braid
Subject: RE: Draft Document Parts A and B.

Thanks again, Wayne. 9:30 on Wednesday would be fine.

I have a few follow-up questions/comments to your comments on Parts A and B –

s.12, s.13

Talk to you soon.
Andrea

From: Wayne Braid [<mailto:gwb@society.notaries.bc.ca>]
Sent: Sunday, January 8, 2012 11:08 AM
To: Buzbuzian, Andrea AG:EX; Wayne Braid
Subject: Draft Document Parts A and B.

Hello Andrea:

s.22


Our committee met on a couple of occasions to discuss the proposals you sent and I have attached sticky notes to your document to indicate our thoughts. I hope that works for you.


s.12, s.13


Regards,

Wayne

G.W.Wayne Braid
Chief Executive Officer/Secretary
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Buzbuzian, Andrea JAG:EX

From: Wayne Braid [gwb@society.notaries.bc.ca]
Sent: Friday, January 20, 2012 3:11 PM
To: Buzbuzian, Andrea AG:EX
Subject: s.12
Attachments: Document1.docx

Hello Andrea:


I am trying to get all of the information you require to you today, however I am not sure I will make it today, **Not Responsive**
Not responsive


s.12


Regards,

Wayne.

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
Suite 1220 625 Howe Street, Box 44,
Vancouver, B.C.
V6C 2T6

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Pages 22 through 29 redacted for the following reasons:

s.12, s.13, s.14

Buzbuzian, Andrea JAG:EX

From: Wayne Braid [gwb@society.notaries.bc.ca]
Sent: Saturday, January 21, 2012 10:04 AM
To: Buzbuzian, Andrea AG:EX
Subject: s.12

Hello Andrea

Thank you for your input.

s.12, s.13

Regards,

Wayne.

From: Buzbuzian, Andrea AG:EX [mailto:Andrea.Buzbuzian@gov.bc.ca]
Sent: 20-Jan-12 4:44 PM
To: Wayne Braid
Subject: RE: s.12

Thanks for the follow-up information, Wayne.

s.12, s.13

Thanks again.

Have a great weekend.
Andrea

From: Wayne Braid [mailto:gwb@society.notaries.bc.ca]
Sent: Friday, January 20, 2012 4:21 PM
To: Buzbuzian, Andrea AG:EX
Cc: Wayne Braid
Subject: RE: s.12

Hello Andrea:

s.12, s.13, s.14


Have a good weekend !


Regards,

Wayne.

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
Suite 1220 625 Howe Street, Box 44,
Vancouver, B.C.
V6C 2T6

 E-Mail gwb@society.notaries.bc.ca

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From: Buzbuzian, Andrea AG:EX [mailto:Andrea.Buzbuzian@gov.bc.ca]
Sent: 20-Jan-12 3:15 PM

To: Wayne Braid
Subject: RE: s.12

Hi Wayne. I appreciate your efforts.

s.12, s.13

Thanks.
Andrea

From: Wayne Braid [mailto:gwb@society.notaries.bc.ca]
Sent: Friday, January 20, 2012 3:11 PM
To: Buzbuzian, Andrea AG:EX
Subject: s.12

Hello Andrea:


Not Responsive


s.12


Regards,

Wayne.

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
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Vancouver, B.C.
V6C 2T6

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Buzbuzian, Andrea JAG:EX

From: Wayne Braid [gwb@society.notaries.bc.ca]
Sent: Saturday, January 21, 2012 10:06 AM
To: Buzbuzian, Andrea AG:EX
Subject: FW: Not Responsive

s.12

Not Responsive

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
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-----Original Message-----

Not Responsive

Page 34 redacted for the following reason:

Not Responsive

Thank You

Buzbuzian, Andrea JAG:EX

From: Buzbuzian, Andrea AG:EX
Sent: Monday, January 23, 2012 12:22 PM
To: 'Wayne Braid'
Subject: s.12

s.12, s.13, s.14

Thanks Wayne. Please give me a call if you have any questions.

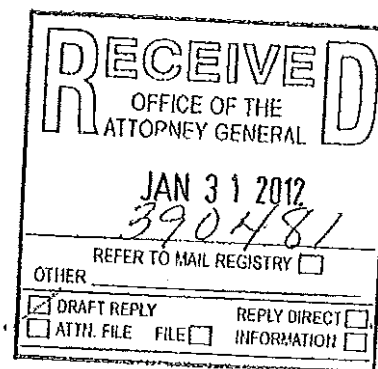
Andrea

Andrea Buzbuzian
Civil Policy and Legislation Office
Ministry of Attorney General
ph: 250.356.5410



January 27, 2012

Honourable Shirley Bond
Attorney General
Province of British Columbia
PO Box 9044 STN PROV GOVT
Victoria, BC V8W 9E2



Dear Ms. Bond:

RE: Legislative Review of Notaries Act

Thank you for making the time to meet with myself and other executive members representing BC Notaries recently.

We believe we have included in the enclosed brief all the information we discussed at that meeting. We have not included the material from the numerous do-it-yourself internet companies that offer the same services which we propose to provide the public.

BC Notaries, of course, will provide a set of standards of practice and insurance coverage for the public to rely upon which these companies do not provide. One of our previously submitted briefs included that background material and we did not feel we should include that information again.

We would be pleased to meet with you to discuss further details should you wish to do so.

Yours very truly,

John Eastwood, President
The Society of Notaries Public of British Columbia

Encl.

BC Notaries
A TRUSTED TRADITION



Brief
for
The Honourable Shirley Bond

Attorney General
of
British Columbia

January 27, 2012

Pages 40 through 55 redacted for the following reasons:

s.13, s.14

Memo

January 31, 2012

Some example Member ship Categories

Law Society of B.C.

From the Act:

11 (1) The benchers may make rules for the governing of the society, lawyers, articulated students and applicants, and for the carrying out of this Act.

14 (1) The benchers may make rules to do any of the following:

- (a) establish categories of members;*
- (b) determine the rights and privileges associated with categories of members;*
- (c) set the annual fee for categories of members other than practising lawyers;*
- (d) determine whether or not a person is a member in good standing of the society.*

From the Law Society Rules, Part 2 (See PDF)

2-1 The following are the categories of members of the Society:

- (a) practising lawyers, as defined in section 1 of the Act;*
- (b) retired members;*
- (c) non-practising members;*
- (d) Canadian legal advisor.*

Law Society of Upper Canada.

They have a complex scheme of licences, exemptions from fees and exemptions from paying insurance. The members of the society are the persons who are licensed to practice law (Act 2(2))

From the Act: (http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90l08_e.htm#BK38)

Licensing

Classes of licence

27. (1) The classes of licence that may be issued under this Act, the scope of activities authorized under each class of licence and any terms, conditions, limitations or restrictions imposed on each class of licence shall be as set out in the by-laws. 2006, c. 21, Sched. C, s. 23 (1).

From the Bylaws: (<http://www.lsuc.on.ca/WorkArea/DownloadAsset.aspx?id=2147485805>)

LSUC has "Classes" of licence. They are set out in Part I of Bylaw 4.

L1 – full barrister and solicitor (over 65 can have fee waived, restricted to pro-bono law, other exemptions are for long membership, etc.)

L2: - Crown Attorneys and government lawyers

L3: -can give advice on laws of Canada, Quebec and public international law (and a member of the Barreau of Quebec)

P1: Paralegals – can give *legal services* (but not *practice law* like L categories))

BC Land Surveyors:

From the Act:

4 (1) *The association may pass bylaws consistent with this Act with regard to one or more of the following:*

(c.1) categories of membership, associated rosters and applicable fees or dues;

They have (Bylaw 5) two categories of membership – practising and non-practising .

As well there are "life members" (5(i)) and a special category of non-practising called "the retired list" (5(j)).

They provide for a "honourary BC Land Surveyor")5(k) **(This seems like a good idea for us.)**

Bylaw 6 provides for registration of a "Land Surveyor in Training".

Suggestions for our new Act

s.13, s.14

Buzbuzian, Andrea JAG:EX

From: Buzbuzian, Andrea AG:EX
Sent: Wednesday, February 1, 2012 11:27 AM
To: 'Wayne Braid'
Subject: RE: s.13

s.22

Thanks for this, Wayne. I was also wondering, however, if the Society of Notaries Public had contemplated where it might need flexibility re: s.13

Thanks for looking into the admin costs. s.22 or are you around? I'm free for the next half hour or so, and then after 1:30. I'm also around most of the day tomorrow and Friday.

Thanks very much.
Andrea

From: Wayne Braid [<mailto:gwb@society.notaries.bc.ca>]
Sent: Wednesday, February 1, 2012 11:24 AM
To: Buzbuzian, Andrea AG:EX
Subject: s.13

Hello Andrea

Here are our thoughts on the s.13 I had a look at the Law Society of Upper Canada's categories and did not find them to be helpful however I have included them as part of my memo for your review anyway.

I hope you will find this to be of assistance.


s.22


I did look into the admin costs you brought up the other day and have the answers for you, however I thought I should maybe call to discuss the numbers with you ?


Regards,

Wayne

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
Suite 1220 625 Howe Street, Box 44,
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Pages 60 through 61 redacted for the following reasons:

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Not Responsive, s.22

Buzbuzian, Andrea JAG:EX

From: Wayne Braid [gwb@society.notaries.bc.ca]
Sent: Friday, March 2, 2012 11:50 AM
To: Buzbuzian, Andrea AG:EX
Cc: Wayne Braid
Subject:
Attachments: s.13, s.14

Hello Andrea:

Further to our discussion yesterday we propose to use

s.13, s.14

s.13, s.14

s.13, s.14

The Notary Society has been in the business of regulating Notaries since 1926 and our mandate is to uphold the professional abilities of our member and to protect the safety and interest of the public as it relates to the work of a BC Notary.


s.13, s.14


Should you have any further thoughts or questions please let me know.


Regards,

Wayne.

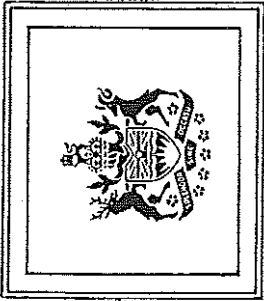
G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
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V6C 2T6

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Commission

Elizabeth the Second, by the Grace of God, of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

To all to whom these presents shall come, Greeting:

Know ye that We have commissioned and appointed

s.22

to be a Notary Public in and for the Province of British Columbia

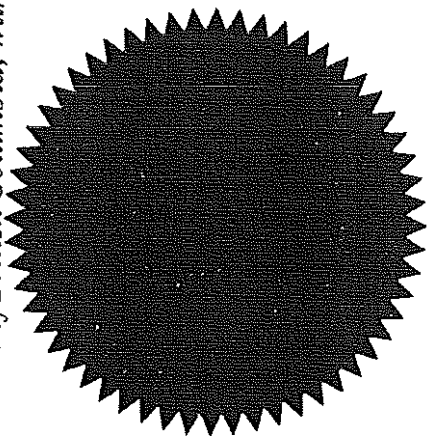
IN THE NOTARIAL DISTRICT OF CRANBROOK

Province of British Columbia, with all the powers, rights, duties, privileges, and emoluments by law attaching to the said office of Notary Public.

Given in Our Supreme Court of British Columbia, this

8th day of JUNE, A.D., 2000

Registrar.



Buzbuzian, Andrea JAG:EX

From: Buzbuzian, Andrea AG:EX
Sent: Thursday, March 8, 2012 12:36 PM
To: 'Wayne Braid'
Subject: Meeting tomorrow

Hi Wayne. Unless you have any matters that you'd like to discuss, I don't think that we need to meet tomorrow.

s.12, s.13

Perhaps we could tentatively set aside some time for the end of next week or for sometime the following week to meet, should we need to?

Thanks Wayne.
Andrea

Andrea Buzbuzian
Civil Policy and Legislation Office
Ministry of Attorney General
ph: 250.356.5410

Mr. John Eastwood
President
The Society of Notaries Public of British Columbia
1220 – 625 Howe Street
Box 44
Vancouver BC V6C 2T6

Dear Mr. Eastwood:

Thank you for your letter regarding the ministry's legislative review of the *Notaries Act*.
I apologize for the delay in responding.

The participation of the Society of Notaries Public is important to the success of this review, and I understand that the Society has been working closely with ministry staff and has provided valuable input.

Further to our discussion at our meeting of January 10, 2012, I am now in receipt of the Society of Notaries Public's brief regarding notaries' scope of practice. Ministry staff will follow up with you on this matter once we have had an opportunity to review this information.

Sincerely,

Shirley Bond
Minister of Justice
and Attorney General

Buzbuzian, Andrea JAG:EX

From: Buzbuzian, Andrea JAG:EX
Sent: Monday, April 2, 2012 11:08 AM
To: 'cnevin@bccba.org'; 'Wayne Braid'; 'TMcGee@lsbc.org'
Cc: Chalke, Jay JAG:EX; Carter, Nancy L JAG:EX; Cyrenne, Huguette JAG:EX; Philippides, Edna M JAG:EX
Subject: Meeting, April 4
Attachments: Agenda_April 4.docx

Good morning. Please find attached an agenda for the meeting this Wednesday, April 4th.

The meeting will take place in the Justice Access Centre boardroom, at 290 – 800 Hornby Street, Vancouver (street level of the Provincial Court House). Please check in with security when you arrive.

If you have any questions, please feel free to give me a call.

Thanks.
Andrea

Andrea Buzbuzian
Civil Policy and Legislation Office
Ministry of Attorney General
ph: 356-5410

AGENDA

Meeting: s.12

Wednesday, April 4, 9:00 – 3:30
Justice Access Centre Boardroom
290 – 800 Hornby Street, Vancouver

- 9:00 – 9:15 Introduction
- Purpose / Context
- 9:15 – 9:45 Overview (10 minutes for each organization)
- Summary of key considerations regarding the proposals.

s.12, s.13

9:45 – 10:00 Break

10:00 – 11:00

s.12, s.13

11:00 – 12:00

12:00 – 12:45 Lunch (provided)

12:45 – 1:30

s.12, s.13

1:30 – 2:30

2:30 – 2:45 Break

2:45 – 3:15 Observations, insights, other comments

3:15 – 3:30 Next steps

Buzbuzian, Andrea JAG:EX

From: Buzbuzian, Andrea JAG:EX
Sent: Monday, April 2, 2012 4:15 PM
To: 'Caroline Nevin'; 'Wayne Braid'; 'TMcGee@lsbc.org'
Cc: Chalke, Jay JAG:EX; Carter, Nancy L JAG:EX; Cyrenne, Huguette JAG:EX; Philippides, Edna M JAG:EX
Subject: Participant List
Attachments: April 4_Participants.docx

Hello again. Please find attached a list of the participants for Wednesday's meeting.

Please feel free to give me a call if you have any questions.
Andrea

Andrea Buzbuzian
Civil Policy and Legislation Office
Ministry of Attorney General
ph: 356-5410

**Notaries' Scope of Practice Proposals
Meeting: April 4, 2012**

Participants

The Society of Notaries Public of British Columbia

John Eastwood, President
G.W. Wayne Braid, Chief Executive Officer/Secretary
Todd McKendrick, Counsel

Canadian Bar Association, B.C. Branch

Sharon Matthews, President
Stephen McPhee, QC, Past President
Caroline Nevin, Executive Director

The Law Society of British Columbia

Bruce LeRose, QC, President
Timothy E. McGee, Chief Executive Officer
Adam Whitcombe, Chief Information and Planning Officer

Ministry of Justice

Jay Chalke, QC, Assistant Deputy Minister, Justice Services Branch
Nancy Carter, Executive Director, Civil Policy and Legislation Office
Huguette Cyrenne, Organization Development Team (facilitator)
Andrea Buzbuzian, Civil Policy and Legislation Office

Pages 70 through 71 redacted for the following reasons:

Not Responsive

BC Notaries
A TRUSTED TRADITION



Brief:

Summary

of Law School Training in BC

in Four Academic Areas

- Succession
- Trusts
- Family Law
- Business Corporations

April 2012

Introduction

The Brief prepared for the Attorney General in January 2012 by The Society of Notaries Public of British Columbia sets out four subject areas where BC Notaries seek to expand their competency and service to the people of our province.

The proposal encompasses expanded BC Notary practice in these academic areas.

- Succession
- Trusts
- Family Law
- Business Corporations

In this Brief, we provide a review of the education requirements for lawyers in BC with respect to those areas and, in particular, the quantity of that instruction.

A. British Columbia Law Schools

Law schools in BC have fixed first-year curricula (without electives) focused on key areas of the law including contracts, torts, criminal, constitutional, and property.

For example, some schools include courses on international law (UBC), regulatory/administrative law (UBC), and legal research and writing (UVic). The current requirements for upper-year curricula are as follows.

UBC

Students must take five compulsory courses, one from each of the following lists.

1. Public Regulation
 - LAW 200 Aboriginal Peoples and Canadian Law (3 credits)
 - LAW 210 Administrative Law (3 credits)
 - LAW 220 Taxation I (3 credits)
2. Private Regulation
 - LAW 250 Trusts (3 credits)
 - LAW 240 Family Law (3 credits)
 - LAW 230 Corporations I (3 to 4 credits)
3. Procedure
 - LAW 260 Advanced Criminal Procedure (2 to 3 credits)
 - LAW 270 Civil Procedure (2 to 3 credits)
 - LAW 280 Evidence (4 credits)
4. Law and Society Studies (Various)
5. Legal Research and Writing (Various)

Of the UBC law-student requirements listed above, only the Private Regulation requirement involves courses at issue in this Brief regarding Succession, Trusts, Family Law, and Business Corporations.

Although UBC offers a course on Succession (LAW 452B), it is not a required course.

- | | |
|----------|--------------|
| LAW 452B | Succession |
| LAW 250 | Trusts |
| LAW 240 | Family Law |
| LAW 230 | Corporations |

With the exception of 1 of the 2 sections of LAW 230 (Corporations), which is a 4-credit-hour course, each of the above courses at UBC is a 3-credit-hour course. Such a course offers a total of 3 hours of instruction per week over the 11-week term, for a total of 39 hours of instruction. To graduate, a minimum of 92 credits is required.

UVic

UVic offers similar upper-level courses.

LAW 320	Succession and Estate Planning
LAW 319	Trusts
LAW 322	Family Law
LAW 315	Business Associations

Although UVic is in the process of revising its upper-year requirements, the following courses are mandatory in the upper years for students enrolled before 2011.

LAW 307B	Civil Procedure
LAW 309	Evidence
A Major Paper Requirement	

TRU

Thompson Rivers University does not yet have a second-year class and thus has no upper-year requirements in place. It is expected to follow those required at the University of Calgary with which TRU has an agreement respecting the provision of curricula.

We understand TRU will be offering courses in the four subject areas relevant to this Brief and are likely to have similar requirements to those at UBC and UVic.

B. PLTC

The focus of the Law Society's Professional Legal Training Course is markedly different from law school curricula. PLTC is designed to emphasize practical skills training, ethics, practice management, and practice and procedure to "help new lawyers bridge the gap between law school and practice."

Students in PLTC receive instruction in the following subject areas.

- Civil Procedure
- Wills
- Family Practice
- Real Estate
- Commercial Practice
- Corporate Practice
- Creditors Remedies
- Criminal Procedure
- Professional Responsibility (Ethics)
- Practice Management

Students are assessed through two qualification exams (barristers and solicitors) and through the following skills assessments.

- Advocacy
- Writing
- Interviewing
- Drafting

In terms of **quantity of instruction**, PLTC is a full-time program covering 10 weeks.

- There are approximately 9 weeks of classes; 1 week is allocated for the qualification exams.
- Students are scheduled to attend classes daily from 9 am to 5 pm. In practice, however, that is never the case.
- Significant amounts of time are set aside for "read/prep" where there is no instruction. Those times are allocated for students to review the practice materials and/or work on assignments.
- Additionally, depending on the instructor, many classes are dismissed early. In practice, classes are usually dismissed by noon.

Based on those factors, the estimated instruction time for areas relevant to this Brief are as follows.

Succession	5 hours
Trusts	Not specifically taught
Family Law	6 hours
Business Corporations	3 to 6 hours

✚ The exams are "open book."

C. Imminent Curriculum Reform

In response to the report from the Federation of Law Societies of Canada (FLS) on the requirements for recognition of a Canadian common law degree, all BC law schools are revising their mandatory curriculum.

Even with this curriculum reform, the areas of Succession, Trusts, Family Law, and Business Corporations will not be covered in-depth in BC law schools.

D. Conclusions

1. In BC law schools, little mandatory instruction is given in the areas of Succession, Trusts, Family Law, and Business Corporations.
2. Although all the relevant subject areas (except Trusts) are taught at PLTC, the actual instruction time is very limited. PLTC materials are quite extensive and examinable in their entirety—the students are responsible for reading and understanding them. According to a lawyer who has recently completed the program, it is not common for students to thoroughly read all the materials.
3. In part because of the “open book” policy for examinations, it is possible for a student to graduate from a BC law school and pass PLTC with very little actual instruction on, and with incomplete knowledge of, the material on the subjects of Succession, Trusts, Family Law, and Business Corporations.
4. For example, a lawyer may open a practice and start doing Trust Wills without taking a course on the subject—and without any relevant practical training except 3 hours of reading. The same is true for a BC lawyer's practice in the areas of Estates and Corporations.
5. Although UBC formerly required its upper-year students to take a course on Trusts, Family Law, or Corporations, those requirements will not apply to the incoming class of law students.
6. UBC and UVic and likely TRU will be making a Business Corporations course mandatory.
7. BC Notaries are better trained than lawyers in the academic areas of Succession, Trusts, Family Law, and Business Corporations.
8. The attached document prepared by Peter Ramsay, adjunct professor of the BC Notaries' **Master of Arts in Applied Legal Studies** program at Simon Fraser University, will serve as an example of the BC Notaries' education in the areas of Trusts and Estates.
9. Commissioned BC Notaries are required to take and pass intensive continuing education courses before they can become qualified or permitted to practise in the areas of Succession, Trusts, Family Law, and Business Corporations.

Mr. John Eastwood
President
The Society of Notaries Public
of British Columbia
1220 – 625 Howe Street
PO Box 44
Vancouver BC V6C 2T6

Mr. Bruce A. LeRose, Q.C.
President
The Law Society of British Columbia
845 Cambie Street
Vancouver BC V6B 4Z9

Dear Mr. Eastwood and Mr. LeRose:

This is further to my recent meetings with each of you. Thank you for taking the time to meet with me. As you are aware, the ministry has been approached to consider a number of legislative changes that would impact notaries and lawyers in British Columbia. These include a legislative review of the *Notaries Act* with a view to updating the regulatory framework for notaries public in the province; a proposal made by the Society of Notaries Public of British Columbia for an expanded scope of practice for notaries; and changes to the *Legal Profession Act* that would provide the Law Society of British Columbia with extended regulatory power over other practitioners, in particular, paralegals. I know that you have both been involved in previous discussions on these matters.

I am writing to confirm my request to each of you during our respective meetings that the Society of Notaries Public and the Law Society work together to develop a proposal for my consideration regarding direction for regulatory reform of legal and notary services in the province by September 28, 2012. Any recommended proposal must:

- ensure, and preferably enhance, the protection of the public interest in the provision of legal services;
- increase both affordability and access to legal services and/or access to justice; and
- create efficiencies in the regulation of legal services.

.../2

Mr. John Eastwood
Mr. Bruce A. LeRose, Q.C.
Page 2

I appreciate that the above timeline is short for consideration of a matter of this complexity. Therefore, I am prepared to offer the assistance of Jay Chalke, Assistant Deputy Minister, Justice Services Branch. Mr. Chalke may be reached at 250-356-6582 or Jay.Chalke@gov.bc.ca.

I believe that the public can be well served by innovative regulatory, governance and scope of practice discussions involving the participation of both the Society of Notaries Public and the Law Society. I further believe that this innovation is essential to providing the citizens of British Columbia with accessible and affordable legal services and I thank you, in advance, for your participation.

Sincerely,

Shirley Bond
Minister of Justice
and Attorney General

Watters, Treena M JAG:EX

From: Minister, JAG JAG:EX
Sent: Thursday, August 30, 2012 10:34 AM
To: Wallbank, Cindy M JAG:EX
Subject: FW: Joint Letter to Minister Bond From the Law Society of BC and The Society of Notaries Public of BC
Attachments: LSBC-Notaries Joint Letter to Minister of Justice and Attorney General Bond-final.PDF

Hi Cindy,

Jessica is requesting an AG draft reply on this one please.

Candice

From: jclark@lsbc.org [<mailto:jclark@lsbc.org>]
Sent: Thursday, August 30, 2012 9:53 AM
To: Minister, JAG JAG:EX
Cc: brucel@tlb.bc.ca; john@eastwoods.ca
Subject: Joint Letter to Minister Bond From the Law Society of BC and The Society of Notaries Public of BC

This email is sent on behalf of Bruce A. LeRose, QC, President, Law Society of British Columbia:

Dear Minister Bond,

Please find attached a joint letter from The Law Society of British Columbia and The Society of Notaries Public of BC, in response to your letter dated July 11, 2012. A hard copy follows by mail.

Regards,

Justine A. Clark | Senior Executive Assistant
Office of the Chief Executive Officer
Law Society of British Columbia
845 Cambie Street, Vancouver, BC V6B 4Z9
t 604.443-5725 | BC toll-free 1.800.903.5300

Regulating in the public interest | www.lawsociety.bc.ca

This email transmission and any accompanying attachments may be subject to solicitor/client privilege or may contain confidential or privileged information. Any use of the information by unintended recipients is prohibited. If you have received this transmission in error, please delete it and the attachments immediately and contact me by telephone or email. Thank you.



August 29, 2012

Sent via email & mail

Honourable Shirley Bond
Minister of Justice and Attorney General
PO Box 9044 Stn Prov Govt
Victoria BC V8W 9E2

Dear Minister Bond:

We are writing in joint response to your letter addressed to each of us dated July 11, 2012 wherein you request us to work together to develop a proposal for your consideration regarding a future direction for regulatory reform of legal and notarial services in British Columbia.

At the outset, we would like to commend and thank you for your leadership in considering and encouraging legislative change which will advance the public interest in the provision of legal and notarial services.

The backdrop for your invitation includes recent amendments to the Legal Profession Act designed to enhance the Law Society's regulatory efficacy and outstanding proposals from the Society of Notaries Public for legislative changes to update its regulatory framework and for an expansion of the notaries' scope of practice. Included as well are the Law Society's current initiatives to expand the role of paralegals working under lawyer supervision.

We have now met and have discussed your letter and how we might best approach the challenge you have set out for us. We are pleased to report that our initial discussions were open, positive and constructive.

In our discussions we paid particular attention to your request that any recommended proposal must:

- Ensure, and preferably enhance, the protection of the public interest in the provision of legal services;
- Increase both affordability and access to legal services and/or access to justice; and
- Create efficiencies in the regulation of legal services.

In our view these are the right goals and the desired outcomes of any proposed regulatory reforms. We are prepared to work cooperatively and creatively to achieve them over time. We have set out below the general approach and some of the key principles that will guide our deliberations.

s.13, s.14

Second, we believe any proposal along these lines will, by necessity, involve transitional arrangements unfolding over a period of time. For example, we are

s.13, s.14

Third, we acknowledge that the best approach is to look at the options from the broad perspective of the provision of all legal services; that is, not to limit our consideration to those respecting just lawyers and notaries but include current and potential future providers of legal services, such as (for example) paralegals.

Fourth, we believe that the best vehicle to encompass this work is the Legal Service Provider Task Force (the "Task Force") that has been created by the Law Society and will be empanelled in the fall of this year. The Task Force will be chaired by Bruce LeRose QC and will bring together other key stakeholders in this area, specifically a representative from each of the Society of Notaries Public, the Canadian Bar Association, BC Branch and the B.C. Paralegal Association. It will also include a non-lawyer Benchler and a non-lawyer member of the public at large. We very much appreciate your willingness to offer the assistance of Jay Chalke, QC, Assistant Deputy Minister, Justice Services Branch.

The Task Force is the first of its kind in British Columbia and has the following mandate, which we believe is closely aligned with the proposal for regulatory reform which you are seeking from us:

- Consider previous work at the Law Society on the regulation of non-lawyers;
- Consider and report on legal service regulatory regimes in other jurisdictions where the regulation extends to non-lawyers;
- Consider and report on the implications for Law Society operations on regulating non-lawyers;

- Consider and report on whether it is in the public interest that non-lawyer legal service providers be regulated and if so, whether it is in the public interest that the Law Society should be that regulator;
- Consider and report on whether the recognition and regulation of non-lawyer legal service providers would improve access to law related services for the public; and
-

s.13, s.14

The Task Force will aim to complete its work in 2013. However, there will likely be significant progress milestones along the way which could form the basis for interim reports on a confidential and/or public basis.

We believe that the best proposal we could ultimately recommend to you in response to your request will reflect the work we will undertake through this Task Force. We are mindful that you were seeking a proposal from us by September 28, 2012, which we acknowledge this approach will not achieve. Nonetheless, while we will not have a proposal by that date we now have a plan as outlined in this letter to develop such a proposal together with the prospects for meaningful and substantive progress in the interim.

We would be pleased to discuss any aspect of this with you or with your officials in further detail at your convenience.

Yours very truly,



Bruce A. LeRose, QC
President
The Law Society of British Columbia
845 Cambie Street
Vancouver, BC V6M 4Z9
T. 604.605.5394
E. blerose@lsbc.org

John
Eastwood
L3FAB4

Digitally signed by John
Eastwood L3FAB4
DN: c=CA, cn=John Eastwood
L3FAB4, o=Notary, ou=Verify
ID at www.juricert.com/
LKUP.cfm?id=L3FAB4
Date: 2012.08.29 08:57:09
-07'00'

John Eastwood
President
Society of Notaries Public of BC
Suite 1220 625 Howe Street
Box 44
Vancouver, BC, V6C 2T6
T. 604.681.4516
E. john@eastwoods.ca

Mr. Bruce A. LeRose, Q.C.
Email: blerose@lsbc.org

Mr. John Eastwood
Email: john@eastwoods.ca

Dear Mr. LeRose and Mr. Eastwood:

Thank you for your letter responding to my request that the Law Society of British Columbia and the Society of Notaries Public of British Columbia work together to develop a proposal regarding direction for regulatory reform of legal and notarial services in the province.

I am very pleased to hear that your initial discussions have been positive and productive, and that agreement on a proposed course of action to meet the outlined objectives has been achieved. I am also satisfied with the general approach and key principles that you propose to guide your deliberations, namely that:

1. s.13, s.14
2. any proposal will involve transitional arrangements;
3. the best approach is to look at the options from the broad perspective of the provision of all legal services; and
4. the best vehicle to encompass this work is the Legal Service Provider Task Force.

I appreciate that the Law Society and the Society of Notaries Public have been asked to consider a significant and complex issue. In acknowledgment of this, I am satisfied with the progress that has been made to date and with the timeline put forward for the Legal Service Provider Task Force to complete its work in 2013. In the meantime, I look forward to receiving any updates as progress is made.

Thank you again for your cooperation and participation in this important initiative to shape the future of the regulation of legal and notarial services, which I believe has the potential to benefit both your professions, potentially other legal service providers, and the people of British Columbia. Should you wish the assistance of ministry staff during your discussions please do not hesitate to contact Mr. Jay Chalke, Assistant Deputy Minister, Justice Services Branch.

Sincerely,

Shirley Bond
Minister of Justice
and Attorney General

Pages 85 through 88 redacted for the following reasons:

Not Responsive, s.22
s.22, Not Responsive